

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names,

We believe we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled VASOOCCLUSIVE COIL the specification of which (check one)

_____ is attached hereto
X was filed on August 25, 1998
Application Serial No. 09/139,258
and was amended on (or amended through) _____ (if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

NONE

Number

Country

Day/Month/Year filed

Yes

No

We hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

| | | |
|-------------------|-------------|--------------------------------|
| <u>NONE</u> | | |
| Appln. Serial No. | Filing Date | Status |
| | | (patented, pending, abandoned) |

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

RICHARD A. BARDIN, Registration No. 20,365, GILBERT G. KOVELMAN, Registration No. 19,552, JAMES W. PAUL, Registration No. 29,967, JOHN S. NAGY, Registration No. 30,664, CRAIG B. BAILEY, Registration No. 28,786, DAVID G. PARKHURST, Registration No. 29,422, RONALD E. PEREZ, Registration No. 36,891 and JOHN V. HANLEY, Registration No. 38,171. Direct all telephone calls to JAMES W. PAUL, ESQ. at telephone No. (310) 824-5555.

Address all correspondence to:

James W. Paul, Esq.,
 FULWIDER PATTON LEE & UTECHT, LLP
 10877 Wilshire Boulevard
 Tenth Floor
 Los Angeles, California 90024

Full name of first inventor: DANIEL R. KURZ

Inventor's signature: 

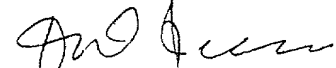
Date: 9/9/98, 1998

Residence: Sunnyvale, California

Citizenship: United States

Post Office Address: 341 S. Bernard Avenue
Sunnyvale, California 94086

Full name of second inventor: DAVID A. FERRERA

Inventor's signature: 

Date: SEPT 18, 1998

Residence: San Francisco, California

Citizenship: United States

Post Office Address: 848 38th Avenue
San Francisco, California 94121

Full name of third inventor: PETER WILSON

Inventor's signature: 

Date: 9.18, 1998

Residence: Foster City, California

Citizenship: United States

Post Office Address: 1105 Emerald Bay Lane
Foster City, California 94404

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL
ENTITY STATUS (37 CFR 1.9(f) AND 1.27(b)) - INDEPENDENT INVENTOR**

Applicant or Patentee: DANIEL R. KURZ, ET AL.
Application or Patent No. Serial No. 09/139,258
Filed: August 25, 1998
Title: VASOOCCLUSIVE COIL

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in

- ☐ the specification filed herewith with the title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under or may be under an obligation under contract or law to assign, grant, convey, or license any rights in invention is listed below:

- ☐ No such person, concern or organization
- ☒ Each such person, concern or organization is listed below

MICRUS CORPORATION
495 Clyde Avenue
Mountain View, CA 94043

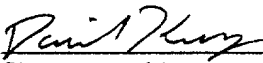
☐ Individual ☒ Small Business Concern ☐ Nonprofit organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

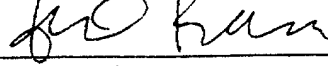
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

DANIEL R. KURZ
NAME OF INVENTOR


Signature of Inventor
Date: 9/9/98

DAVID A. FERRERA
NAME OF INVENTOR


Signature of Inventor
Date: 9/18/98

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL
ENTITY STATUS (37 CFR 1.9(f) AND 1.27(b)) - INDEPENDENT INVENTOR**

Applicant or Patentee: DANIEL R. KURZ, ET AL.
Application or Patent No. Serial No. 09/139,258
Filed: August 25, 1998
Title: VASOOCCLUSIVE COIL

PETER WILSON

NAME OF INVENTOR



Signature of Inventor

Date: 9-18-98

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL
ENTITY STATUS (37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

Applicant or Patentee: DANIEL R. KURZ, ET AL.
 Application or Patent No. Serial No. 09/139,258
 Filed: August 25, 1998
 Title: VASOOCCLUSIVE COIL

I hereby declare that I am

- ☐ the owner of the small business concern identified below
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: MICRUS CORPORATION
 ADDRESS OF SMALL BUSINESS CONCERN: 495 Clyde Avenue, Mountain View, California 94043

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with the title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein on my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: J. Todd Derbin
 TITLE OF PERSON IF OTHER THAN OWNER: CEO
 ADDRESS OF PERSON SIGNING: 312 Ramona, Palo Alto, CA 94301

SIGNATURE: [Signature]

DATE: Oct. 7, 19 98

ASSIGNMENT

This Assignment, made by DANIEL R. KURZ of Sunnyvale, California; DAVID A. FERRERA of San Francisco, California; and PETER WILSON of Foster City, California; Assignors, to MICRUS CORPORATION, a Delaware corporation, Assignee, having a place of business at 495 Clyde Avenue, Mountain View, California 94043.

WHEREAS, Assignors have invented a new and useful VASOOCCLUSIVE COIL, for which an application for United States Letters Patent was filed on August 25, 1998 and has Serial No. 09/139,258; and

WHEREAS, Assignors believe themselves to be the original, first and joint inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application Serial No. 09/139,258 and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign and transfer to Assignee, the entire right, title and interest in and to said invention, said application Serial No. 09/139,258 and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under

international conventions, treaties or otherwise.

Further, Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representatives and assigns, will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said invention, said application and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application Serial No. 09/139,258 or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

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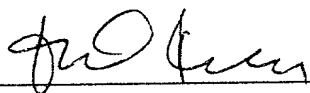
IN WITNESS WHEREOF, Assignors have executed this Assignment on the dates
written hereinbelow.

ASSIGNORS:

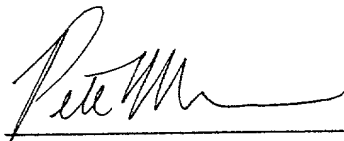
Date: 9/18, 1998


DANIEL R. KURZ

Date: SEPT 18, 1998


DAVID A. FERRERA

Date: SEPT 18, 1998


PETER WILSON